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May 18, 2022

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ISOJON KHUSENOV,

Plaintiff, Index No.

1:21-CV-03703

-against-

PROKRAFT INC. AND PRO-CUT,

Defendants.

----- x

PROKRAFT INC.,

Third-Party Plaintiff,

-against-

KARZINKA US, INC.,

Third-Party Defendant.

----- x

CONTINUATION OF THE EXAMINATION BEFORE TRIAL  
of the Defendant, KARZINKA US, INC., by KHUSEN  
NOSIROVICH HODJIMAMETOV, taken by the respective  
parties, pursuant to Order, held on VC  
LEXITAS-LegalView, LEXITAS-LEGALVIEW VC One-Click  
Link Entry Provided REMOTE VIDEOCONFERENCE VC, on  
May 18, 2022, at 9:18 a.m., before a Notary Public  
of the State of New York.

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(1) **A P P E A R A N C E S : (VIA VIDEOCONFERENCE)**

(2) **LAW OFFICE OF YURIY PRAKHIN, P.C.**

(3) **Attorneys for Plaintiff**

(4) **ISOJON KHUSENOV**

**1883 86th Street, 2nd Floor**

(5) **Brooklyn, New York 11214**

(6) **BY: ANNA BROXMEYER, ESQ.**

(7)

**O'CONNOR REDD ORLANDO LLP**

(8) **Attorneys for Defendants**

**PROKRAFT INC. AND PRO-CUT**

(9) **242 King Street**

**Port Chester, New York 10573-4119**

(10)

**BY: JOSEPH REDD, ESQ.**

(11)

(12)

**CONGDON, FLAHERTY, O'CALLAGHAN,**

(13) **FISHLINGER & PAVLIDES**

**Attorneys for Defendant**

(14) **KARZINKA**

**333 Earle Ovington Boulevard, #502**

(15) **Uniondale, New York 11553**

(16) **BY: THOMAS EVANS, ESQ.**

(17)

(18) **ALSO PRESENT: HIRA AKRAM**

(19)

(20)

(21)

(22)

(23)

(24)

(25)

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(1) S T I P U L A T I O N S

(2) IT IS HEREBY STIPULATED AND AGREED by and  
(3) between the attorneys for the respective parties  
(4) herein, that filing, sealing and certification, and  
(5) the same are, hereby waived.

(6)  
(7) IT IS FURTHER STIPULATED AND AGREED that all  
(8) objections except as to the form of the question,  
(9) shall be reserved to the time of the trial.

(10)  
(11) IT IS FURTHER STIPULATED AND AGREED that the  
(12) within deposition may be signed and sworn to by an  
(13) officer authorized to administer an oath, with the  
(14) same force and effect as if signed and sworn to  
(15) before the Court.

(16)  
(17) xxxxx

(18)  
(19)  
(20)  
(21)  
(22)  
(23)  
(24)  
(25)

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(1) IT IS HEREBY STIPULATED AND AGREED by and  
(2) between counsel for all parties present that  
(3) pursuant to CPLR section 3113(d) this deposition is  
(4) to be conducted by video conference, that the court  
(5) reporter, all counsel, and the witness are all in  
(6) separate remote locations and participating via  
(7) videoconference (LegalView/Zoom) meeting under the  
(8) control of Lexitas Court Reporting Service, that the  
(9) officer administering the oath to the  
(10) witness need not be in the place of the deposition  
(11) and the witness shall be sworn in remotely by the  
(12) court reporter after confirming the witness's  
(13) identity, that this videoconference will not be  
(14) recorded in any manner and that any recording  
(15) without the express written consent of all parties  
(16) shall be considered unauthorized, in violation of  
(17) law, and shall not be used for any purpose in this  
(18) litigation or otherwise.

(12) IT IS FURTHER STIPULATED that exhibits may be  
(13) marked by the attorney presenting the exhibit to the  
(14) witness, and that a copy of any exhibit presented to  
(15) a witness shall be Emailed to or otherwise in  
(16) possession of all counsel prior to any questioning  
(17) of a witness regarding the exhibit in question. All  
(18) parties shall bear their own costs in the conduct of  
(19) this deposition by video conference, not  
(20) withstanding the obligation by CPLR to supply a copy  
(21) of the transcript to the deposed party by the taking  
(22) party in civil litigation matters.  
(23)  
(24)  
(25)

(1) Khusen Nosirovich Hodjimametov

(2) U M I D B E R D I E V,

(3) Called as the official interpreter in this  
(4) action, was duly sworn to faithfully translate  
(5) the questions to the witness from English to  
(6) Uzbek, and the answers from Uzbek to English.

(7) K H U S E N N O S I R O V I C H H O D J I M A M E  
(8) T O V, Having been first duly sworn before a Notary  
(9) Public of the State of New York, was examined and  
(10) testified as follows.

(11) EXAMINATION BY

(12) **MR. REDD:**

(13) Q What is your name?

(14) **A Khusen Nosirovich Hodjimametov.**

(15) Q What is your address?

(16) **A 6309 108th Street, Apartment 4-E,**  
(17) **Forest Hills, New York, 11375.**

(18) Q. Good morning, sir. My name is Joseph  
(19) Redd, we met once before virtually, same  
(20) rules apply, I'm going to ask you questions,  
(21) please keep your response verbal.

(22) **A. Okay, yes.**

(23) Q. If you don't understand any question  
(24) I'm asking you, let me know, I will rephrase  
(25) the question for you.

(1) Khusen Nosirovich Hodjimametov  
(2) (Whereupon, PHOTOGRAPHS are  
(3) deemed marked as DEFENDANT'S Exhibits  
(4) A, B C AND D for Identification.)

(5) **A. Hmm-hmm.**

(6) Q. Please keep your responses verbal, no  
(7) nods of the head, it's got to be yes, no,  
(8) it's got to be verbal, okay?

(9) **A. Hmm-hmm.**

(10) Q. Because we're using an interpreter  
(11) today, let the interpreter interpret the  
(12) question before you answer, you might  
(13) understand me somewhat in English, but let's  
(14) let the interpreter do his job before you  
(15) answer, okay?

(16) **A. Okay.**

(17) Q. We've marked as an exhibit a  
(18) photograph, it's Exhibit A. At this point in  
(19) time I'm going to hand it to you, but I want  
(20) you to take a look at it and tell me if you  
(21) recognize what is depicted in the photograph?

(22) **MR. REDD: Counsel, this is A.**

(23) **A. Yes.**

(24) Q. What do you recognize it to be, what  
(25) is it?

(1) Khusen Nosirovich Hodjimametov

(2) **A. The table and on the table is meat**  
(3) **grinder.**

(4) Q. That was the meat grinder -- that was  
(5) a part of the meat grinder that was involved  
(6) in the accident on May 29, 2021, correct?

(7) **A. Yes. (Response in English)**

(8) Q. On the photograph, Exhibit A --

(9) **MR. EVANS: You gotta give a**  
(10) **response on that, Umid.**

(11) **THE INTERPRETER: Sure, yes.**

(12) Q. Looking at the Exhibit A and more  
(13) specifically the upper left-hand corner of  
(14) that silver box that says Pro-Cut; do you see  
(15) that in the photograph?

(16) **A. Yes.**

(17) Q. What is that?

(18) **A. It's a stick, sticker.**

(19) Q. Is it a warning sticker?

(20) **A. Yes.**

(21) Q. Now I'm going to hand what you we  
(22) marked today as Exhibit C.

(23) **A. Hmm-hmm.**

(24) Q. What do you recognize that to be?

(25) **A. Be careful do not put your hand on and**

(1) **Khusen Nosirovich Hodjimametov**

(2) **the other one is related to electricity.**

(3) Q. So Exhibit C, is that a blowup or an  
(4) enlargement of the sticker we see in Exhibit  
(5) A?

(6) **A. Correct.**

(7) Q. That sticker was present on the  
(8) machine on the date of incident on May 29th,  
(9) 2021; is that correct?

(10) **A. Yes, it was there.**

(11) Q. And have you operated that machine or  
(12) familiar with that sticker prior to May 29th,  
(13) 2021, correct?

(14) **A. The sticker was there, but I never**  
(15) **paid attention, I think it was there.**

(16) Q. In looking at the Exhibit C, do you  
(17) see the yellow triangle at the top of the  
(18) photograph?

(19) **A. Yes, yes.**

(20) Q. When you look at that yellow triangle,  
(21) what is that stating, what do you understand  
(22) that to mean?

(23) **A. I can see the picture image of the**  
(24) **hand and I think it is warning not to touch.**

(25) Q. So you see a picture of the hand,



(1) Khusen Nosirovich Hodjimametov

(2) correct, correct, yes or no?

(3) **A. This looks like a hand.**

(4) Q. And below the hand there appears to be  
(5) some sort of a screw here; do you see that?

(6) **A. Hmm-hmm.**

(7) Q. Is it your --

(8) **MR. EVANS: I'm sorry, get a**  
(9) **response, can I have the response?**

(10) **A. Yes.**

(11) **THE INTERPRETER: Is it okay if**  
(12) **I ask Uzbek speaker to say yes or no**  
(13) **because there's no answer either yes**  
(14) **or no?**

(15) **A. Yes.**

(16) Q. At the bottom of the yellow triangle  
(17) there appears to be what appears to be a  
(18) screw, correct?

(19) **A. This one I don't understand what is**  
(20) **this.**

(21) Q. Do you understand the hand that we see  
(22) in the yellow triangle, it's up against what  
(23) appears to be a squiggly black object at the  
(24) bottom, correct?

(25) **A. Okay.**

(1) **Khusen Nosirovich Hodjimametov**

(2) Q. And then at the bottom of the picture  
(3) we see what appears to be pieces of a hand or  
(4) finger; do you see that?

(5) **A. Yes.**

(6) Q. Simply stating in looking at this  
(7) triangle that was present on the machine,  
(8) that means don't put your hand near the  
(9) machine or you might lose your fingers; is  
(10) that a fair statement?

(11) **A. Correct.**

(12) Q. Dropping down now to the red circle  
(13) below the yellow triangle; do you see that,  
(14) sir?

(15) **A. Yes.**

(16) Q. And the red circle with the line going  
(17) through the circle, is that an international  
(18) sign of some sort?

(19) **A. I'm not sure, to be honest.**

(20) Q. What do you take that to mean, a red  
(21) circle with a red line through it, does that  
(22) mean don't touch it?

(23) **A. It's crossed on the hand it says do**  
(24) **not put your finger or hand.**

(25) Q. Is that what you understand that to

(1) Khusen Nosirovich Hodjimametov

(2) mean?

(3) **A. It says based on my understanding it**  
(4) **says that do not touch or put your hand.**

(5) Q. Looking at the blue circle, do you see  
(6) that? Looking at that blue circle, what do  
(7) you take that to mean? What is your  
(8) understanding of the message --

(9) **MS. BROXMEYER: I'm sorry.**

(10) **(AUDIO DISTORTION)**

(11) **MR. EVANS: You're buffering on**  
(12) **us, Anna. You're buffering on us,**  
(13) **Anna.**

(14) **MS. BROXMEYER: Hello --**

(15) **MR. EVANS: You're buffering.**

(16) **(Whereupon, a short recess was**  
(17) **taken.)**

(18) Q. Directing your attention, sir, to the  
(19) blue circle on Exhibit C, today's date, can  
(20) you please take a look at the blue circle?

(21) **A. I'm looking at it.**

(22) Q. Can you please tell us what is  
(23) depicted in that blue circle?

(24) **A. Plastic to push, plastic device to**  
(25) **push.**

(1) **Khusen Nosirovich Hodjimametov**

(2) Q. Is it your understanding that that is  
(3) telling the user to use a push stick to push  
(4) the meat through the guard into the machine  
(5) below?

(6) **A. Correct.**

(7) Q. Directing your attention, same  
(8) exhibit, Exhibit C directing your attention  
(9) to what appears to be a red object in the  
(10) left-hand side of the photograph; do you see  
(11) that?

(12) **A. Yes.**

(13) Q. What is that?

(14) **A. Plug to turn off the machine or**  
(15) **electricity.**

(16) Q. That would be a shutoff, correct?

(17) **A. Yes.**

(18) Q. Looking at the same Exhibit C adjacent  
(19) to it, do you see another object green in  
(20) color?

(21) **A. Yes.**

(22) Q. What is that?

(23) **A. It's turn on button.**

(24) Q. I'm going to hand you what has been  
(25) marked as Exhibit B and looking at Exhibit B,

(1) Khusen Nosirovich Hodjimametov  
(2) do you see the red and green buttons in that  
(3) exhibit?

(4) **A. Yes.**

(5) Q. Now is that, that's a different view  
(6) of the same buttons that we were looking at  
(7) in Exhibit C, correct?

(8) **A. Correct.**

(9) Q. Now, is it your understanding that on  
(10) the date of the accident that both of these  
(11) buttons were operational, that hitting the  
(12) red button could cause the machine to stop  
(13) and hitting the green button would cause the  
(14) machine to go on; is that a fair statement?

(15) **A. Correct.**

(16) Q. I'm going to hand you what has been  
(17) marked as Exhibit D which is a still shot  
(18) taken from the video of the incident, sir,  
(19) I'm going to direct your attention to Exhibit  
(20) C.

(21) **A. I'm looking at.**

(22) Q. Do you recognize what is shown in the,  
(23) in that exhibit, Exhibit D?

(24) **A. Yes, I can see that the saw is**  
(25) **grinding that meat.**

(1) **Khusen Nosirovich Hodjimametov**

(2) Q. So more specifically the gentleman in  
(3) the red hat, is that Mr. Khusenov?

(4) **A. No, this is not me, this should be**  
(5) **Iso.**

(6) Q. The injured person, Iso, is that Iso  
(7) in the red hat?

(8) **A. It should be Iso in the cap.**

(9) Q. Directing your attention, same exhibit  
(10) there's another gentleman that we see in the  
(11) upper right-hand corner of the exhibit, can  
(12) you please identify us the name of that  
(13) person that we see there?

(14) **THE INTERPRETER: Interpreter**  
(15) **will ask to repeat.**

(16) **A. It looks like Deshort, he's a cleaning**  
(17) **guy, he helps to clean or it might be me**  
(18) **based on that image.**

(19) Q. Directing your attention to the date  
(20) of the accident, who was working in the store  
(21) at the time of the incident?

(22) **A. Everyone, all of us were in the store**  
(23) **and working, do you mean the butchers**  
(24) **including?**

(25) Q. People who were working behind the

(1) Khusen Nosirovich Hodjimametov  
(2) counter, can you give me the names of the  
(3) people who were working behind the counter on  
(4) the day of the accident?

(5) MR. EVANS: In the butchers  
(6) department?

(7) MR. REDD: In the butchers  
(8) department, correct?

(9) A. I, Hodjimametov.

(10) THE INTERPRETER: Interpreter  
(11) will clarify.

(12) A. It's me, it's me.

(13) THE INTERPRETER: Interpreter  
(14) is going to provide you the spelling,  
(15) K, as in kingdom, H, as in Hector, U,  
(16) as in united, S, as in Sam, E, as in  
(17) echo, N, as in Nancy, Khusen. The  
(18) second part, Khoji, K, as in kingdom,  
(19) H, as in Hector, O, as in Oprah, J, as  
(20) in Jackson, I, as in icon. Khoji,  
(21) Khusen is the first name and  
(22) Hodjimametov is the last name. This  
(23) is interpreter is going to provide you  
(24) the last name. K, as in kingdom, H,  
(25) as in Hector, O, as in Oprah, J, as in

(1) Khusen Nosirovich Hodjimametov  
(2) Jackson, I, as in icon, M, as in Mary  
(3) A, as in apple, M, as in Mary, E, as  
(4) in echo, D, as in Delta, O, Oprah, V,  
(5) as in victory. Khusen Khoji  
(6) Hodjimametov.

(7) A. Correct?

(8) THE INTERPRETER: This is  
(9) interpreter, is it okay? The  
(10) spelling?

(11) MR. EVANS: Yes, that is the  
(12) witness, now we need the other names.

(13) A. Alisher.

(14) MR. EVANS: You don't need the  
(15) last name.

(16) THE INTERPRETER: A, as in  
(17) apple, L, as in Lori, I, as in icon,  
(18) S, as in Sam, H, as in Hector, E, as  
(19) in echo, R as in Romeo. Alisher, it's  
(20) second person.

(21) MR. EVANS: Any other  
(22) employees?

(23) A. Buchos arrived a little later after  
(24) the incident happened and Sanjar has arrived  
(25) a little later after the incident.



(1) **Khusen Nosirovich Hodjimametov**

(2) Q. Fair enough, we're going to move on  
(3) now, okay?

(4) You were present at the time the  
(5) accident occurred; is that correct?

(6) **A. Correct.**

(7) Q. Did there come a point in time where  
(8) you became aware that an accident had  
(9) occurred?

(10) **A. Yes, he has screamed.**

(11) Q. Did you hear him scream?

(12) **A. Yes.**

(13) Q. When you heard him scream, where were  
(14) you?

(15) **A. Two tables, there are two tables on**  
(16) **the portal and I was working on the second**  
(17) **table.**

(18) Q. Are we talking about the white table  
(19) that we see in Exhibit D?

(20) **A. No, next to the blade.**

(21) Q. Upon hearing the scream, please tell  
(22) us what you did.

(23) **THE INTERPRETER: This is**  
(24) **interpreter, come again one more time.**

(25) Q. When you heard the scream, what did do

(1) Khusen Nosirovich Hodjimametov

(2) you?

(3) **A. So after I heard the scream, I run**  
(4) **immediately towards him, turn off the grinder**  
(5) **and help him to move to other side.**

(6) Q. From the moment you heard the scream  
(7) to the moment you got to the machine to turn  
(8) it off, how much time went by, one second,  
(9) two seconds, three seconds, four seconds or  
(10) something else?

(11) **A. It was nearby, it might be around five**  
(12) **seconds.**

(13) Q. When you turned it off, did you do it  
(14) by hitting the red button that you had  
(15) previously identified in Exhibit B?

(16) **A. Yes, correct.**

(17) Q. And you went directly to that button  
(18) to turn it off, is that the first thing you  
(19) did?

(20) **A. Correct.**

(21) Q. When you pushed that red button, did  
(22) the machine turn off?

(23) **A. Yes, stopped.**

(24) Q. And at that moment in time, was there  
(25) anybody else, it was you, the injured person,

(1) Khusen Nosirovich Hodjimametov  
(2) was anybody else present there when you  
(3) turned the machine off?

(4) **A. Alisher has run towards us and we**  
(5) **together helped him.**

(6) Q. When you turned the machine off at  
(7) that point in time, did you see where the  
(8) injured person's arm was?

(9) **A. His hand was inside the meat grinder**  
(10) **and I was not paying attention to many**  
(11) **details.**

(12) Q. Was his hand in the grinder, is it  
(13) fair to say that at that moment in time the  
(14) guard was not in place?

(15) **A. Correct.**

(16) Q. Now, in order to assist the injured  
(17) person, was the metal pan where the meat was,  
(18) was that removed from the rest of the  
(19) machine?

(20) **THE INTERPRETER: This is**  
(21) **interpreter, come again one more time,**  
(22) **please.**

(23) Q. To assist the injured person, did you  
(24) assist in the removal of the steel pan where  
(25) the meat was, the pan that had the hole in it

(1) Khusen Nosirovich Hodjimametov

(2) where his arm was in through the hole?

(3) **A. So we removed the cap of the meat**  
(4) **grinder and lifted it and moved to other**  
(5) **side.**

(6) Q. Did somebody call 911 at that point in  
(7) time?

(8) **A. Yes.**

(9) Q. At any point in time did you have any  
(10) conversations with the injured person after  
(11) the day of the accident as to what he was  
(12) doing immediately before accident occurred?

(13) **THE INTERPRETER: This is**  
(14) **interpreter, come again one more time.**

(15) **MR. REDD: I'll try it a**  
(16) **different way.**

(17) Q. Did you ever speak to the injured  
(18) person about what happened?

(19) **THE INTERPRETER: Interpreter**  
(20) **is going to repeat.**

(21) **A. After the injury do you mean?**

(22) Q. Correct.

(23) **A. After that I have not communicated.**  
(24) **December 11th I had fall down and he has**  
(25) **visited me during that meet of generally**

(1)                   **Khusen Nosirovich Hodjimametov**  
(2)       **once. After that, we have never communicated**  
(3)       **and I have not seen him.**

(4)                   **MR. REDD: I need 30 seconds.**

(5)                   **(Whereupon, a short recess was**  
(6)       **taken.)**

(7)                   **MR. REDD: Subject to any**  
(8)       **follow-up questions, I'm done.**

(9)                   **MS. BROXMEYER: I do have some,**  
(10)       **a few questions.**

(11)       **BY MS. BROXMEYER:**

(12)       Q.       Mr. Hodjimametov, my name is Anna  
(13)       Broxmeyer and I'm with the law firm that  
(14)       represents the plaintiff in this matter. The  
(15)       same rules that were explained to you by  
(16)       Mr. Redd apply.

(17)       **A.       Okay.**

(18)       Q.       So other than the meat grinder that  
(19)       was involved in the incident for which we're  
(20)       here today, were there any other meat  
(21)       grinders at the deli where you worked?

(22)       **A.       Yes, there was.**

(23)                   **MR. REDD: Counselor, I assume**  
(24)       **we're talking about the date of the**  
(25)       **accident?**

(1) **Khusen Nosirovich Hodjimametov**

(2) **MS. BROXMEYER: Yes.**

(3) **A. I understood.**

(4) Q. So other than the meat grinder that  
(5) was involved in the incident, how many other  
(6) meat grinders were there in the deli on the  
(7) day of the accident?

(8) **A. One.**

(9) Q. Was that other meat grinder also a  
(10) Pro-Cut meat grinder?

(11) **A. I cannot recall it, I'm not sure.**

(12) Q. That other meat grinder, was it  
(13) similar to the one that was involved in the  
(14) incident for which we're here today?

(15) **A. No, the other one was a little**  
(16) **smaller.**

(17) Q. Now, this other smaller meat grinder,  
(18) did that smaller meat grinder have a guard?

(19) **A. No, that one didn't have, too.**

(20) Q. It did not have to? I'm sorry, what  
(21) was the answer?

(22) **A. There was no, there wasn't.**

(23) Q. That smaller meat grinder, do you know  
(24) if it came with a guard that was removed  
(25) afterwards or something else?

(1) Khusen Nosirovich Hodjimametov

(2) MR. EVANS: Note my objection  
(3) to the form of the question. I think  
(4) the question assumes whether or not  
(5) this was removed. It's a double  
(6) question. If you want to ask him did  
(7) it have a guard, I'm okay with that  
(8) and then you can ask him if that was  
(9) removed in a separate question but not  
(10) in a compound question.

(11) MS. BROXMEYER: I already asked  
(12) him previously if the meat grinder had  
(13) a guard and he said no. So my  
(14) follow-up question --

(15) MR. EVANS: Now you're asking  
(16) him did it come with a guard before it  
(17) was removed and my objection is to the  
(18) form of the question. So if you want  
(19) to ask him did it come with a guard,  
(20) I'll allow him to answer that and then  
(21) you can ask him depending upon the  
(22) response was it removed by the  
(23) butchers, all right?

(24) MS. BROXMEYER: Okay.

(25) Q. That other small meat grinder, did it

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(1) Khusen Nosirovich Hodjimametov

(2) come with a guard?

(3) **A. Yes.**

(4) Q. So that other small meat grinder, was  
(5) the guard removed?

(6) **A. We removed.**

(7) Q. When you say "we removed," what do you  
(8) mean by that?

(9) **A. Previously there were other butchers**  
(10) **so we have removed with those people.**

(11) Q. So the guard on that other smaller  
(12) meat grinder was removed by someone at the  
(13) deli where you worked at the time where you  
(14) worked; is that correct?

(15) **MR. EVANS: Note my objection**  
(16) **to the form of the question. It's not**  
(17) **a deli, it's a butcher, it's the**  
(18) **butchers department, Anna.**

(19) **MS. BROXMEYER: Okay.**

(20) Q. So in the --

(21) **MS. BROXMEYER: Withdrawn.**

(22) Q. So is my understanding correct that in  
(23) the butchers department where you worked,  
(24) that's where the guard was removed from the  
(25) other smaller grinder that we're talking



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(1) Khusen Nosirovich Hodjimametov  
(2) about?

(3) **A. Correct.**

(4) Q. Do you recall testifying during your  
(5) deposition that took place last month that  
(6) when you first started working at the  
(7) butchers department that there were three  
(8) meat grinders?

(9) **MR. REDD: Objection to form,**  
(10) **that's not my recollection.**

(11) **MR. EVANS: Objection as well,**  
(12) **my understanding is it was a big one**  
(13) **and a small one, only two.**

(14) **MS. BROXMEYER: Well, I'm not**  
(15) **asking what counsel remembers, I'm**  
(16) **just asking what the witness remembers**  
(17) **and if my -- if I'm incorrect then he**  
(18) **can let me know that, that's up to**  
(19) **him.**

(20) **MR. REDD: Objection to form.**

(21) **MR. EVANS: Just objection to**  
(22) **form, you can answer.**

(23) **THE INTERPRETER: This is**  
(24) **interpreter, Anna, will you repeat the**  
(25) **question one more time, please?**

(1) **Khusen Nosirovich Hodjimametov**

(2) Q. Do you recall previously testifying  
(3) during your deposition last month that when  
(4) you first started working at the butchers  
(5) department that there were three meat  
(6) grinders?

(7) **MR. REDD: Object to form, form**  
(8) **objection.**

(9) **MR. EVANS: Same.**

(10) **A. If I'm not mistaken, I have told that**  
(11) **it was two. If there was one additional as**  
(12) **three, maybe they have taken that away, I'm**  
(13) **not sure, I cannot recall.**

(14) Q. Thank you.

(15) Now, those two meat grinders that were  
(16) at the butchers department when you first  
(17) started working there, were they the same or  
(18) different than the two meat grinders that  
(19) were at the butchers department on the date  
(20) of the accident?

(21) **A. No, this --**

(22) **THE INTERPRETER: Interpreter**  
(23) **will clarify.**

(24) **A. This meat grinder is different one.**

(25) Q. And those two meat grinders when you

(1) Khusen Nosirovich Hodjimametov  
(2) first started working at the butchers shop,  
(3) did they have guards in them?

(4) **MR. REDD: Objection to form.**

(5) **MR. EVANS: Objection to form.**

(6) **A. The protector was when it was**  
(7) **delivered.**

(8) **MS. BROXMEYER: I'm sorry,**  
(9) **Interpreter, can you repeat what you**  
(10) **said?**

(11) **THE INTERPRETER: The**  
(12) **protection guard was there when they**  
(13) **were delivered.**

(14) **Q. So still talking about those two meat**  
(15) **grinders that were there when you first**  
(16) **started working at the butcher counter, were**  
(17) **the protection guards removed from the meat**  
(18) **grinders?**

(19) **A. Yes.**

(20) **Q. Do you know who removed the protection**  
(21) **guards from the two meat grinders that were**  
(22) **there when you first started working?**

(23) **THE INTERPRETER: Interpreter**  
(24) **will ask for repetition.**

(25) **A. The one that his hand got injured, the**

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(1) **Khusen Nosirovich Hodjimametov**  
(2) **machine we have removed it.**

(3) Q. But I'm talking about the two -- let  
(4) me back up.

(5) You previously testified that there  
(6) were two meat grinders at the butcher  
(7) department when you first started working at  
(8) Karzinka, correct?

(9) THE INTERPRETER: The  
(10) interpreter will repeat.

(11) **A. Correct.**

(12) Q. And those two meat grinders that were  
(13) there when you first started working at  
(14) Karzinka were different than the two meat  
(15) grinders that were at Karzinka on the date of  
(16) the incident; is that correct?

(17) **MR. REDD: Counselor, you're**  
(18) **completely misstating the witness's**  
(19) **testimony earlier today as well as**  
(20) **what he testified to on day one.**  
(21) **You're absolutely inaccurate statement**  
(22) **of what this witness testified to so I**  
(23) **object to the form.**

(24) **MR. EVANS: Same objection.**

(25) **MS. BROXMEYER: He just**

(1) Khusen Nosirovich Hodjimametov  
(2) testified that the two meat grinders  
(3) when he first started working at  
(4) Karzinka were different than the ones  
(5) that were there on the date of the  
(6) incident.

(7) MR. REDD: That's not correct,  
(8) Counsel. If we have to get a read  
(9) back on it, let's get a read back on  
(10) it.

(11) MS. BROXMEYER: Then let's get  
(12) a read back on it.

(13) (Whereupon, the requested  
(14) portion of the transcript was read  
(15) back by the reporter.)

(16) MR. EVANS: I think he's  
(17) referring to the smaller grinder so  
(18) you have to ask a very precise  
(19) question because, you know, there's  
(20) obviously a language barrier here and  
(21) our understanding is that there are  
(22) only two grinders here so if you want  
(23) to ask him a specific question whether  
(24) or not he had or was aware of two  
(25) other grinders that were completely

(1) Khusen Nosirovich Hodjimametov  
(2) different than the ones that were  
(3) involved in this accident, you have to  
(4) be specific because he was only there  
(5) for, I believe, five-years before the  
(6) plaintiff was hired so if you narrow  
(7) your question down as to when he first  
(8) got employed there, he'll tell you,  
(9) he'll repeat his prior testimony that  
(10) he was there five-years before Isojon  
(11) was hired. Now, if you want to ask  
(12) him if in that five-year period was  
(13) there ever a change in the meat  
(14) grinders that were present there, then  
(15) I think you can start to narrow it  
(16) down, but I think in response to your  
(17) question that was just read, he's  
(18) referring to the smaller grinder.

(19) MR. REDD: We might get a lot  
(20) more clarity on the questioning if he  
(21) can identify the small grinder, ask  
(22) questions about the small one and then  
(23) launch into the big one, you're  
(24) putting them both together and making  
(25) assumptions about their dual status

(1) Khusen Nosirovich Hodjimametov  
(2) and that has not been established and  
(3) it's creating confusion, in my  
(4) opinion.

(5) MS. BROXMEYER: I think you're  
(6) mischaracterizing my questions, okay  
(7) and I don't need to be taught how to  
(8) ask questions, but, you know, thank  
(9) you for the guidance nonetheless.

(10) MR. EVANS: I'm not teaching  
(11) you how do it, we're trying to get the  
(12) question so the witness understands  
(13) your question.

(14) MR. REDD: And we get a clear  
(15) record.

(16) MS. BROXMEYER: Okay, I think  
(17) the question was perfectly clear when  
(18) he first started working at Karzinka  
(19) if those two grinders were different  
(20) than the ones on the date of the  
(21) incident and he said yes. I can ask  
(22) again, you know, but, you know, I  
(23) don't want to hear objection, asked  
(24) and answered.

(25) MR. EVANS: My understanding is

(1) Khusen Nosirovich Hodjimametov  
(2) he's responding to the response that  
(3) he gave to that question was in  
(4) relation to the small grinder.

(5) MS. BROXMEYER: Well, my  
(6) understanding is different so based  
(7) on --

(8) MR. EVANS: Why don't you ask  
(9) him --

(10) MS. BROXMEYER: I will ask him  
(11) again --

(12) MR. EVANS: Ask him again  
(13) because I think -- and if you're  
(14) correct, you're correct, but the way  
(15) that the question is framed, whenever  
(16) he started working there, he's of the  
(17) mindset that you're talking about the  
(18) time that he's there with Isojon so if  
(19) you redirect this witness to when he  
(20) was there before Isojon then it might  
(21) be a clearer answer.

(22) MS. BROXMEYER: Okay.

(23) MR. REDD: Let's keep going,  
(24) please rephrase and we'll keep going.

(25) Q. Mr. Hodjimametov?



(1) Khusen Nosirovich Hodjimametov

(2) **A. Yes.**

(3) Q. Prior to the incident, how long had  
(4) you been working at Karzinka?

(5) **MR. REDD: You're muted.**

(6) **MS. BROXMEYER: Umid, you're**  
(7) **muted.**

(8) **THE INTERPRETER: Sure.**

(9) **A. Four years.**

(10) Q. When you started working at Karzinka  
(11) four-years prior to the incident for which  
(12) we're here today, how many meat grinders were  
(13) in the butchers department?

(14) **A. Approximately two. I cannot tell**  
(15) **exactly and recall.**

(16) Q. Those two meat grinders that were in  
(17) the butchers department about four-years  
(18) prior to the incident, were they the same  
(19) meat grinders that were in the butchers  
(20) department on the date of the incident?

(21) **THE INTERPRETER: This is**  
(22) **interpreter, come again one more time,**  
(23) **please.**

(24) Q. Those two meat grinders that were in  
(25) the butchers department when you first

(1) Khusen Nosirovich Hodjimametov  
(2) started working at Karzinka four-years prior  
(3) to the incident, were they the same meat  
(4) grinders that were in the butchers department  
(5) on the date of the incident?

(6) **A. They always change those meat**  
(7) **grinders, but the big one, it was new one,**  
(8) **they have replaced it.**

(9) Q. When you first started working --

(10) **MR. EVANS: I'm sorry, Anna,**  
(11) **one second. Just so you understand,**  
(12) **how we understood the question to be**  
(13) **was that the smaller grinder was**  
(14) **already there, that was the same**  
(15) **grinder, but the big grinder was**  
(16) **different because the one that they**  
(17) **had originally, broke or for some**  
(18) **reason was non-operable and they**  
(19) **purchased a new one. The new one is**  
(20) **what was involved in the accident,**  
(21) **that's what I understand it to be.**

(22) **A. Correct.**

(23) Q. So the big meat grinder that was at  
(24) Karzinka when you started working four-years  
(25) prior to the incident, did that big meat

(1) Khusen Nosirovich Hodjimametov

(2) grinder have a guard?

(3) **A. Previously we had all the small meat**  
(4) **grinders, this big meat grinder has arrived**  
(5) **recently.**

(6) Q. So when you started working at  
(7) Karzinka four-years prior to the date of the  
(8) incident, there was a big meat grinder,  
(9) correct?

(10) **A. So the small one it was there on the**  
(11) **picture, the small meat grinder, but the big**  
(12) **meat grinder that has been used recently it**  
(13) **has arrived recently, but what kind of meat**  
(14) **grinder was prior to this big one, I cannot**  
(15) **exactly recall the measurements.**

(16) MR. EVANS: Do you understand,  
(17) Anna?

(18) MS. BROXMEYER: Yes.

(19) MR. EVANS: Okay, the way that  
(20) I'm understanding so we're all on the  
(21) same page was there was not a big meat  
(22) grinder before the big meat grinder  
(23) that was involved in this accident,  
(24) that was a smaller grinder.

(25) Q. So is my understanding correct that

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(1) Khusen Nosirovich Hodjimametov  
(2) there was a meat grinder that was replaced  
(3) while you were working, during the time that  
(4) you were working at Karzinka between the time  
(5) that you first started working there  
(6) four-years prior to the incident up to the  
(7) time of the incident?

(8) **A. Yes, it was there.**

(9) Q. The meat grinder that was replaced,  
(10) did that meat grinder have a guard?

(11) **A. Yes.**

(12) Q. Again, still talking about the meat  
(13) grinder that was replaced, was that guard  
(14) ever removed?

(15) **A. Which guard are you referring?**

(16) Q. The meat grinder --

(17) **MR. REDD: Read the question**  
(18) **back, please.**

(19) **(Whereupon, the requested**  
(20) **portion of the transcript was read**  
(21) **back by the reporter.)**

(22) **A. Are you referring at the meat grinder**  
(23) **that was involved into the accident?**

(24) **MR. REDD: No.**

(25) **MR. EVANS: No.**

(1) **Khusen Nosirovich Hodjimametov**

(2) Q. No.

(3) **MR. EVANS: The one that was**  
(4) **replaced.**

(5) **A. So I cannot recall about the old one,**  
(6) **but currently we have one new one and one**  
(7) **small one. On both of them, the protector**  
(8) **is, the guard is removed.**

(9) Q. Now, with regard to the grinder that  
(10) was involved in the incident for which we're  
(11) here today, do you know the date that the  
(12) guard was removed?

(13) **A. I cannot recall.**

(14) Q. Still talking about the meat grinder  
(15) that was involved in the incident, were you  
(16) present when the guard was removed?

(17) **A. I was there.**

(18) Q. Do you recall whether --

(19) **MS. BROXMEYER: Strike that.**

(20) Q. On the day that the guard was removed  
(21) from the meat grinder involved in the  
(22) incident, do you recall if that was a weekday  
(23) or a weekend?

(24) **A. It was a workday.**

(25) Q. When you say "workday," do you mean a

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(1) Khusen Nosirovich Hodjimametov  
(2) day during the week or a day on the weekend?

(3) **A. I cannot recall exact day because the**  
(4) **shop works on a daily basis, every day.**

(5) Q. So is my understanding correct that  
(6) you don't you recall if the guard was removed  
(7) on a weekday or on a weekend day?

(8) **A. Correct, I cannot recall.**

(9) Q. Do you recall if the guard was removed  
(10) from the meat grinder involved in the  
(11) incident in the morning, the afternoon, in  
(12) the evening?

(13) **A. It was afternoon, after the lunchtime**  
(14) **most probably. It was close to afternoon.**  
(15) **Maybe it was around six or after six.**

(16) Q. How long did it take to remove the  
(17) guard from the meat grinder involved in the  
(18) incident?

(19) **THE INTERPRETER: This is**  
(20) **interpreter, come again.**

(21) Q. How long did it take to remove the  
(22) guard that was on the meat grinder involved  
(23) on the date of the incident?

(24) **A. Please clarify, what do you mean?**

(25) Q. So is my understanding correct that

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(1) Khusen Nosirovich Hodjimametov  
(2) you were present when the guard on the meat  
(3) grinder involved in the incident was removed?

(4) **A. Yes, when we removed the guard I was**  
(5) **there.**

(6) Q. How long did it take to remove the  
(7) guard?

(8) **A. Around 10, 15 minutes.**

(9) MS. BROXMEYER: I don't have  
(10) anymore questions, but I do reserve my  
(11) right to ask any follow-up questions  
(12) if there are any questions after mine.

(13) MR. REDD: I'm done.

(14) MR. EVANS: Thank you, Anna.  
(15) We're done then unless you have  
(16) anymore Anna?

(17) MS. BROXMEYER: No, I don't.

(18) MR. EVANS: That's fine.

(19) MS. BROXMEYER: Anna Broxmeyer,  
(20) counsel for plaintiff, Law Office of  
(21) Yuriy Prakhin, we are ordering a  
(22) transcript.

(23)

(24)

(25) (Continued on next page for Jurat.)

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(1) MR. EVANS: That's fine. I'm  
(2) ordering.

(3) (Time noted: 11:03 a.m.)  
(4)

(5)

(6)

(7)

-----  
KHUSEN NOSIROVICH HODJIMAMETOV

(8)

(9)

(10)

(11) Subscribed and Sworn to before me

(12) this day of , -----

(13)

(14) -----

(15) Notary Public

(16)

(17)

(18)

(19)

(20)

(21)

(22)

(23)

(24)

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C E R T I F I C A T E

I, ANN MULLIGAN, hereby certify that the Examination Before Trial of KHUSEN NOSIROVICH HODJIMAMETOV, was held before me on the 18th day of May, 2022; that said witness was duly sworn before the commencement of his testimony; that the testimony was taken stenographically by myself and then transcribed by myself; that the party was represented by counsel as appears herein;

That the within transcript is a true record of the Examination Before Trial of said witness;

That I am not connected by blood or marriage with any of the parties; that I am not interested directly or indirectly in the outcome of this matter; that I am not in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of May, 2022.

  
ANN MULLIGAN

(1) ERRATA SHEET FOR: KHUSEN NOSIROVICH HODJIMAMETOV

(2) KHUSEN NOSIROVICH HODJIMAMETOV, being duly sworn, deposes and  
(3) says: I have reviewed the transcript of my  
proceeding taken on 05/18/2022. The following  
(4) changes are necessary to correct my testimony.

(5) -----

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(18)	----	----	-----	-----
(19)	----	----	-----	-----
(20)	----	----	-----	-----

(21) Witness Signature: \_\_\_\_\_

(22) Subscribed and sworn to, before me

(23) this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

(24) \_\_\_\_\_

(25) (NOTARY PUBLIC) MY COMMISSION EXPIRES

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